

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1

LOWENSTEIN SANDLER LLP

Jeffrey D. Prol, Esq.
Lynda A. Bennett, Esq.
Michael A. Kaplan, Esq.
Brent Weisenberg, Esq.
Colleen M. Restel, Esq.
Rasmeet K. Chahil, Esq.
One Lowenstein Drive
Roseland, New Jersey 07068
Telephone: (973) 597-2500
Email: jprol@lowenstein.com
Email: lbennett@lowenstein.com
Email: mkaplan@lowenstein.com
Email: bweisenberg@lowenstein.com
Email: crestel@lowenstein.com
Email: rchahil@lowenstein.com

*Counsel to the Official Committee
of Tort Claimant Creditors*

In re:

THE DIOCESE OF CAMDEN, NEW JERSEY,

Debtor.

Chapter 11

Case No. 20-21257 (JNP)

**ORDER GRANTING MOTION OF THE OFFICIAL COMMITTEE OF TORT
CLAIMANT CREDITORS (I) COMPELLING INTERSTATE FIRE &
CASUALTY COMPANY, ALLIANZ REINSURANCE AMERICA, INC., AND
INSURANCE SERVICES OFFICE TO PROVIDE DISCOVERY AND TESTIFY
REGARDING THE BREACH OF CONFIDENTIALITY, (II) REQUIRING ISO
TO DELETE ABUSE CLAIM INFORMATION, (III) HOLDING INTERSTATE
IN CONTEMPT OF COURT, AND (IV) REQUIRING INTERSTATE TO PAY
THE COMMITTEE'S ATTORNEYS' FEES**

The relief set forth on the following pages, numbered pages two (2) through five (5), is
hereby **ORDERED**.

(Page 2)

Debtor: The Diocese of Camden, New Jersey
Case No.: 20-21257 (JNP)
Caption of Order: *Order Granting Motion of the Official Committee of Tort Claimant Creditors (I) Compelling Interstate Fire & Casualty Company, Allianz Reinsurance America, Inc., and Insurance Services Office to Provide Discovery and Testify Regarding the Breach of Confidentiality, (II) Requiring ISO to Delete Abuse Claim Information, (III) Holding Interstate in Contempt of Court, and (IV) Requiring Interstate to Pay the Committee's Attorneys' Fees*

THIS MATTER is before this Court upon the motion (the “Motion”) of the Official Committee of Tort Claimant Creditors (the “Committee”) and of The Diocese of Camden, New Jersey (“Diocese”) (i) compelling Interstate Fire & Casualty Company (“Interstate”), Allianz Reinsurance America, Inc., d/b/a Allianz Resolution Management (“AZRA”) and Insurance Services Office (“ISO”) to provide discovery and testify regarding the breach of confidentiality regarding abuse survivor proofs of claim (“Abuse Claims”), (ii) enjoining AZRA and ISO from accessing, using, or sending the Abuse Claim information while this Motion is pending, other than to comply with an Order on item (i); requiring ISO to delete the Abuse Claim information in its possession, (iii) holding Interstate in contempt of court, and (iv) requiring Interstate to pay the Committee’s attorneys’ fees in connection with this Motion; and the Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Standing Order of Reference to the Bankruptcy Court Under Title 11* of the United States District Court for the District of New Jersey, as amended on September 18, 2012; and venue being proper in this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and this matter being a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and notice of the Motion being sufficient under the circumstances; and it appearing that no other or further notice need be provided; and the Court having determined that the relief sought in the Motion is in the best interests of the Debtor’s estate, its creditors and other parties in interest; and after due deliberation and sufficient cause appearing therefor;

IT IS HEREBY ORDERED AS FOLLOWS:

1. The Motion is **GRANTED** as set forth herein.

(Page 3)

Debtor: The Diocese of Camden, New Jersey
Case No.: 20-21257 (JNP)
Caption of Order: *Order Granting Motion of the Official Committee of Tort Claimant Creditors (I) Compelling Interstate Fire & Casualty Company, Allianz Reinsurance America, Inc., and Insurance Services Office to Provide Discovery and Testify Regarding the Breach of Confidentiality, (II) Requiring ISO to Delete Abuse Claim Information, (III) Holding Interstate in Contempt of Court, and (IV) Requiring Interstate to Pay the Committee's Attorneys' Fees*

2. Within three (3) days of the entry of this Order, AZRA shall provide to the Diocese and the Committee the Abuse Claim information that was sent to ISO, including the claimants' names.

3. Within five (5) days of the entry of this Order, Interstate shall produce a summary of all bankruptcy cases ("Other Bankruptcy Cases") (a) in which it is a party; (b) the claimants are sensitive populations similar to the Survivors in this case, including but not limited to victims of sex abuse, opioid victims, medical device malfunction victims, and cancer agents; and (c) where Interstate has similarly been requested to maintain the confidentiality of such claimants.

4. Within fourteen (14) days of the entry of this Order, a designee of Interstate shall sit for a deposition, in person, and shall be prepared to testify about the disclosure, including the following topics: the sources and errors that led to the disclosure, all parties to which Interstate has disclosed any information from the Abuse Claims, the relationship between Interstate and AZRA, the relationship between Interstate and ISO, remedial measures taken to address the disclosure, the controls that were in place at the time of the disclosure, what controls have subsequently been deployed or what controls Interstate will deploy to prevent similar disclosures from occurring, and whether similar disclosures to AZRA or ISO have occurred in the Other Bankruptcy Cases.

5. Within fourteen (14) days of the entry of this Order, a designee of AZRA shall sit for a deposition, in person, and shall be prepared to testify about the disclosure, including the following topics: the sources and errors that led to the disclosure, all parties to which AZRA has

(Page 4)

Debtor: The Diocese of Camden, New Jersey
Case No.: 20-21257 (JNP)
Caption of Order: *Order Granting Motion of the Official Committee of Tort Claimant Creditors (I) Compelling Interstate Fire & Casualty Company, Allianz Reinsurance America, Inc., and Insurance Services Office to Provide Discovery and Testify Regarding the Breach of Confidentiality, (II) Requiring ISO to Delete Abuse Claim Information, (III) Holding Interstate in Contempt of Court, and (IV) Requiring Interstate to Pay the Committee's Attorneys' Fees*

disclosed any information from the Abuse Claims, the relationship between Interstate and AZRA, the relationship between AZRA and ISO, remedial measures taken to address the disclosure, the controls that were in place at the time of the disclosure, what controls have subsequently been deployed or what controls AZRA will deploy to prevent similar disclosures from occurring, and whether similar disclosures to ISO have occurred in the Other Bankruptcy Cases.

6. Within fourteen (14) days of the entry of this Order, a designee of ISO shall sit for a deposition, in person, and shall be prepared to testify about the disclosure, including the following topics: the sources and errors that led to the disclosure, all parties to which ISO has disclosed any information from the Abuse Claims or that have accessed Abuse Claim information from its database, the relationship between Interstate and ISO, the relationship between AZRA and ISO, remedial measures taken to address the disclosure, the controls that were in place at the time of the disclosure; and what controls have subsequently been deployed or what controls ISO will deploy to prevent similar disclosures from occurring.

7. Within ten (10) days of the entry of this Order, ISO shall file a sworn affidavit disclosing the following with regard to any instance of access of Abuse Claim information from its database: the date of access, the name of the accessing party, the specific information accessed, and whether the information was downloaded or printed from the database.

8. Representatives of Interstate, AZRA, and ISO shall appear live for a hearing before the Court to testify about the topics (iii) through (v) above on _____.

(Page 5)

Debtor: The Diocese of Camden, New Jersey
Case No.: 20-21257 (JNP)
Caption of Order: *Order Granting Motion of the Official Committee of Tort Claimant Creditors (I) Compelling Interstate Fire & Casualty Company, Allianz Reinsurance America, Inc., and Insurance Services Office to Provide Discovery and Testify Regarding the Breach of Confidentiality, (II) Requiring ISO to Delete Abuse Claim Information, (III) Holding Interstate in Contempt of Court, and (IV) Requiring Interstate to Pay the Committee's Attorneys' Fees*

9. Interstate shall file a list of the Other Bankruptcy Cases, along with a proposed disclosure statement regarding the breach of confidentiality.

10. AZRA and ISO are hereby enjoined from accessing, using, or sending the Abuse Claim information, other than to comply with the above items.

11. ISO shall, following compliance with the above (and any other discovery requested by the parties or ordered by Court), delete, or otherwise destroy all Abuse Claim information in its possession and to file a certification that it has done so.

12. Interstate is hereby held in contempt of Court.

13. Interstate shall pay the Committee's attorneys' fees and costs incurred in connection with this Motion, including the costs associated with the discovery and depositions ordered above. The Committee shall file a certification regarding its fees and costs within ten (10) days of the completion of all of the items listed above.

14. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

15. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation of this Order.